

SENATE JOINT RESOLUTION

proposing a constitutional amendment dedicating a portion of the revenue derived from the state sales and use tax and the tax imposed on the sale, use, or rental of a motor vehicle to the state highway fund.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VIII, Texas Constitution, is amended by adding Section 7-c to read as follows:

Sec. 7-c. (a) Subject to Subsections (d) and (e) of this section, in each state fiscal year, the comptroller of public accounts shall deposit to the credit of the state highway fund \$2.5 billion of the net revenue derived from the imposition of the state sales and use tax on the sale, storage, use, or other consumption in this state of taxable items under Chapter 151, Tax Code, or its successor, that exceeds the first \$28 billion of that revenue coming into the treasury in that state fiscal year.

(b) Subject to Subsections (d) and (e) of this section, in each state fiscal year, the comptroller of public accounts shall deposit to the credit of the state highway fund an amount equal to 35 percent of the net revenue derived from the tax authorized by Chapter 152, Tax Code, or its successor, and imposed on the sale, use, or rental of a motor vehicle that exceeds the first \$5 billion of that revenue coming into the treasury in that state fiscal year.

(c) Money deposited to the credit of the state highway fund

1 under this section may be appropriated only to:

2 (1) construct, maintain, or acquire rights-of-way for
3 public roadways other than toll roads; or

4 (2) repay the principal of and interest on general
5 obligation bonds issued as authorized by Section 49-p, Article III,
6 of this constitution.

7 (d) The legislature by adoption of a resolution approved by
8 a record vote of two-thirds of the members of each house of the
9 legislature may direct the comptroller of public accounts to reduce
10 the amount of money deposited to the credit of the state highway
11 fund under Subsection (a) or (b) of this section. The comptroller
12 may be directed to make that reduction only:

13 (1) in the state fiscal year in which the resolution is
14 adopted, or in either of the following two state fiscal years; and

15 (2) by an amount or percentage that does not result in
16 a reduction of more than 50 percent of the amount that would
17 otherwise be deposited to the fund in the affected state fiscal year
18 under the applicable subsection of this section.

19 (e) Subject to Subsection (f) of this section, the duty of
20 the comptroller of public accounts to make a deposit under this
21 section expires:

22 (1) August 31, 2032, for a deposit required by
23 Subsection (a) of this section; and

24 (2) August 31, 2029, for a deposit required by
25 Subsection (b) of this section.

26 (f) The legislature by adoption of a resolution approved by
27 a record vote of a majority of the members of each house of the

1 legislature may extend, in 10-year increments, the duty of the
2 comptroller of public accounts to make a deposit under Subsection
3 (a) or (b) of this section beyond the applicable date prescribed by
4 Subsection (e) of this section.

5 SECTION 2. The following temporary provision is added to
6 the Texas Constitution:

7 TEMPORARY PROVISION. (a) This temporary provision applies
8 to the constitutional amendment proposed by the 84th Legislature,
9 Regular Session, 2015, dedicating a portion of the revenue derived
10 from the state sales and use tax and the tax imposed on the sale,
11 use, or rental of a motor vehicle to the state highway fund.

12 (b) Section 7-c(a), Article VIII, of this constitution
13 takes effect September 1, 2017.

14 (c) Section 7-c(b), Article VIII, of this constitution
15 takes effect September 1, 2019.

16 (d) Beginning on the dates prescribed by Subsections (b) and
17 (c) of this section, the legislature may not appropriate any
18 revenue to which Section 7-c(a) or (b), Article VIII, of this
19 constitution applies that is deposited to the credit of the state
20 highway fund for any purpose other than a purpose described by
21 Section 7-c(c), Article VIII, of this constitution.

22 (e) This temporary provision expires September 1, 2020.

23 SECTION 3. This proposed constitutional amendment shall be
24 submitted to the voters at an election to be held November 3, 2015.
25 The ballot shall be printed to permit voting for or against the
26 proposition: "The constitutional amendment dedicating certain
27 sales and use tax revenue and motor vehicle sales, use, and rental

1 tax revenue to the state highway fund to provide funding for
2 nontolled roads and the reduction of certain
3 transportation-related debt."

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 5 passed the Senate on March 4, 2015, by the following vote: Yeas 28, Nays 2; May 4, 2015, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 6, 2015, House granted request of the Senate; May 29, 2015, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 5 passed the House, with amendments, on April 30, 2015, by the following vote: Yeas 138, Nays 3, one present not voting; May 6, 2015, House granted request of the Senate for appointment of Conference Committee; May 30, 2015, House adopted Conference Committee Report by the following vote: Yeas 142, Nays 1, one present not voting.

Chief Clerk of the House